

From: [Barbara Nann](#)
To: [Barbara Aldridge](#)
Subject: Fw: RSD Briefing on Gulfco UAO
Date: 12/02/2009 04:15 PM

Barbara A. Nann
Assistant Regional Counsel
EPA Region 6 (6RC-S)
1445 Ross Avenue
Dallas, TX 75202
phone: (214) 665-2157
fax: (214) 665-6460
nann.barbara@epa.gov

----- Forwarded by Barbara Nann/R6/USEPA/US on 12/02/2009 04:15 PM -----

RSD Briefing on Gulfco UAO

Gregory Wall to: Barbara Nann

12/02/2009
02:57 PM

Cc: Benjamin Lammie

Barbara,

Earlier this morning, I briefed RSD management on the Gulfco UAO issue. RSD management believes that an ISE could be justified at Gulfco and that the lack of an ISE should not be used as the basis for not issuing the UAO. Given the historical recalcitrance of these PRPs, and in an effort to expedite tank removal/cap repair at the site, RSD would be willing to seek \$150K-\$175K in Fund monies from OSWER for this work should the PRPs not comply with the UAO (given the possible CC implications, we're very confident that OSWER would concur with any strong recommendation of ours to release such Funds). We can cross this bridge when we come to it, but we likely ought to discuss whether a referral to DOJ for UAO-enforcement is warranted before obligating the Fund monies.

We are in the process of scheduling a meeting to brief OSRE management on this issue. I will keep you posted in that regard.

Best,
Greg

Gregory R. Wall, Attorney-Advisor
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance / OSRE
Tel: 202.564.4498 Fax: 202.501.0269
E-mail: wall.gregory@epa.gov

Mail:
1200 Pennsylvania Ave, N.W.
AR-S Room 4232; MC: 2272A
Washington, DC 20460

NOTICE: This communication is confidential, and may contain information protected under the attorney-client privilege, the work-product doctrine, or the deliberative process privilege. Do not release under FOIA without appropriate review. If you receive this message in error, do not copy, disseminate, redistribute, or otherwise use the information herein; please delete it immediately and notify the Sender. Thank you.